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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BAM L.P.,

MICHAEL MANN, and

MERYL MANN,

Defendants.

Adv. Pro. No. 10-04390 (SMB)

NOTICE OF PRETRIAL CONFERENCE

PLEASE TAKE NOTICE that on November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) (ECF No. 3141). Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, in this adversary proceeding on November 30, 2010 (Adv. Pro. No. 10-04390, ECF No. 2), the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter;

PLEASE TAKE FURTHER NOTICE that on April 16, 2014, Defendants BAM L.P., Michael Mann, and Meryl Mann (the “Defendants”) filed an Answer to Trustee’s Complaint (ECF No. 40) and pursuant to the Avoidance Procedures the Trustee and Defendants (the “Parties”) commenced discovery, which was completed on December 8, 2015;

PLEASE TAKE FURTHER NOTICE that pursuant to the Avoidance Procedures, on February 2, 2016, the Trustee filed a Notice of Mediation Referral (ECF No. 49), wherein the Parties jointly agreed to enter mediation and, on January 17, 2017, the mediation was completed without a settlement between the Parties;

PLEASE TAKE FURTHER NOTICE the mediator filed her final report on January 24, 2017 indicating that the mediation was unsuccessful (ECF No. 63);

PLEASE TAKE FURTHER NOTICE that a pre-trial conference in the above-referenced adversary proceeding was held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge on March 29, 2017 (ECF Nos. 64, 67);

PLEASE TAKE FURTHER NOTICE that the Parties agreed to file a Joint Stipulated Statement of Undisputed Material Facts in furtherance of summary judgment by May 3, 2017 (ECF No. 67);

PLEASE TAKE FURTHER NOTICE that the Parties sought an enlargement of time to file the requested Joint Stipulated Statement of Undisputed Material by the deadline of May 31, 2017 (ECF No. 68), at which time a status conference would be held before the Bankruptcy Court;

PLEASE TAKE FURTHER NOTICE that the Parties filed several notices of adjournment of the status conference previously scheduled for May 31, 2017 (ECF No. 68), through to October 31, 2018 (ECF No. 99);

PLEASE TAKE FURTHER NOTICE because the Parties are unable to agree to a Joint Stipulated Statement of Undisputed Material Facts, the conference that was previously scheduled for October 31, 2018 (ECF No. 99) will be held on **September 26, 2018, at 10:00 a.m.**;

PLEASE TAKE FURTHER NOTICE that the above-referenced conference will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, the Parties are required to attend and may address additional issues and potential deadlines, if necessary, to file a pre-trial order and schedule a trial.

Dated: September 5, 2018
New York, New York

BAKER & HOSTETLER LLP

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